

AMENDED APPLICATION**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office JUL 07 2004Returned to applicant for correction JUL 20 2004Corrected application filed AUG 23 2004Map filed FEB 05 2004 under 69510

The applicant **Ronald D. Cudney or Karen Sue Cudney** hereby makes application for permission to change the **Point of Diversion and Place of Use** of water heretofore appropriated under **Permit No. 61963**

1. The source of water is **Underground**
2. The amount of water to be changed **1.00 cfs – 46.96 Acre-Feet**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **SE¼ SW¼, of Section 15, T.17N., R.63E., M.D.B.&M., at a point from which the South ¼ corner of said Section 15 bears S 86°34'21" E, 584.55 feet.**
6. The existing permitted point of diversion is located within **SW¼ SW¼ of Section 19, T.17N., R.64E., M.D.B.&M., at a point from which the East ¼ corner of said Section 19 bears N 28° 20'46" W, 2663.51 feet.**
7. Proposed place of use **10.76 acres within a portion of SE¼ SW¼ of Section 15, T.17N., R.63E., M.D.B.&M.**
8. Existing place of use **10.28 acres in the SE¼ SW¼, and 1.46 acres in the SW¼ SW¼ of Section 19 T.17N., R.46E., M.D.B.&M. (a total of 11.74 acres to be removed from irrigation)**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **Drilled well, pump, motor, pipelines and distribution system**
12. Estimated cost of works **\$10,000**
13. Estimated time required to construct works **3 years to complete, the existing 6inch well is approximately 280 feet deep.**
14. Estimated time required to complete the application of water to beneficial use **5 years**

15. Remarks: Please use this map the accompanied Permit 61963 to accompany this application to illustrate the existing point of diversion and existing place of use. Please use the map that accompanied Permit 69510 to accompany this application to illustrate the proposed point of diversion and proposed place of use.

By KAREN S. CUDNEY
s/ Karen S. Cudney
HC 32 Box 32233
Ely, Nevada 89301

Compared sg/sc lt/gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 61963 is issued subject to the terms and conditions imposed in said Permit 61963 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 69510 and 71418 shall not exceed 43.31 acre-feet annually for the irrigation of 10.83 acres within the described place of use.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

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The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.7519 cubic feet per second, 35.31 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

February 9, 2010

Map in support of proof of beneficial use shall be filed on or before:

February 9, 2010

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 9th day of February, A.D. 2007

Tracy Taylor, P.E.
State Engineer

Completion of work filed October 27, 2005 under 69510

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____